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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SIERRA FOREST LEGACY, *et al.*,

Plaintiffs,

v.

MARK REY, in his official capacity as Under
Secretary of Agriculture, *et al.*,

Federal Defendants,

and

TUOLUMNE COUNTY ALLIANCE FOR
RESOURCES & ENVIRONMENT, *et al.*;
CALIFORNIA SKI INDUSTRY ASS'N;
QUINCY LIBRARY GROUP, *et al.*; and
CALIFORNIA CATTLEMEN'S ASS'N,

Defendant-Intervenors.

No. CIV-S-05-0205 MCE/GGH

Related Cases: CIV-05-0211 MCE/GGH
CIV-05-0905 MCE/GGH
CIV-05-0953 MCE/GGH

**JOINT STIPULATION
STAYING CONSIDERATION OF
MOTION FOR PRELIMINARY
INJUNCTION**

1 The parties to the above-entitled action, by their undersigned counsel of record, have
2 conferred and hereby stipulate as follows:

3 WHEREAS on August 6, 2007, Federal Defendants notified Plaintiffs that they intend to
4 award logging contracts for Freeman Project on August 31, 2007, and on-the-ground operations
5 could begin very soon after contracts are awarded; and

6 WHEREAS on August 10, 2007, Plaintiffs moved this Court to enjoin preliminarily the
7 Freeman Project pending the Court's ruling on the parties' pending cross-motions for summary
8 judgment, and a hearing on Plaintiffs' motion for preliminary injunction is currently scheduled
9 for August 23, 2007 at 11:00 a.m.; and

10 WHEREAS on August 16, 2007, Plaintiffs, Federal Defendants, and
11 Defendant-Intervenor Quincy Library Group met informally to discuss potential resolution of
12 Plaintiffs' objections to the Freeman project and additional projects proposed under the 2004
13 Framework; and

14 WHEREAS the parties have agreed that further negotiation regarding the Freeman Project
15 and other projects is appropriate;

16 NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:

17 1. To allow the parties time to conduct further negotiations regarding the Freeman Project,
18 the parties request that the hearing on Plaintiffs' motion for preliminary injunction currently
19 scheduled for August 23, 2007 at 11:00 a.m. be rescheduled for September 7, 2007 at 11:00 a.m.

20 2. The parties agree that the Federal Defendants may proceed to award logging contracts for
21 the Freeman Project no sooner than August 31, 2007, *provided that*:

22 a. The award of contracts for the Freeman Project may not be cited by any party or
23 considered by the Court as a factor in considering the balance of hardships in this case;

24 b. Federal Defendants will require, as a condition of contract award, that any
25 contracts for the Freeman Project awarded before September 15, 2007, require that the purchaser
26 not begin operations until September 15, 2007. Federal Defendants will promptly provide
27 confirmation of this requirement to Plaintiffs;

28 c. The agreement to delay implementation may not be cited by any party or
considered by the Court to indicate a lack of imminent need for the work in the Freeman Project.

1
2 Dated: August 21, 2007

Respectfully submitted,

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11 Attorneys for Plaintiffs Sierra Forest Legacy et al.

12 Dated: August 21, 2007

Respectfully submitted,

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14 RONALD J. TENPAS
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15 /s/ Barclay T. Samford
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21 Dated: August 21, 2007

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Dated: August 21, 2007

Respectfully submitted,

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Dated: August 21, 2007

Respectfully submitted,

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Dated: August 21, 2007

Respectfully submitted

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ORDER

Pursuant to the foregoing stipulation of the parties, IT IS SO ORDERED. The hearing on
Plaintiffs' motion for preliminary injunction currently scheduled for August 23, 2007 at 11:00 is
rescheduled for September 7, 2007 at 11:00 a.m.

Dated: August 22, 2007



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE